

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

Vinci Brands LLC

Plaintiff and Counterclaim  
Defendant,

v.

Coach Services Inc., Kate Spade, LLC,  
Tapestry, Inc., and Case-Mate, Inc.,

Defendants,

and

Case-Mate, Inc.,

Counterclaimant,

v.

Vinci Brands LLC, Candlewood Partners, LLC,  
CWD Armor Management, LLC, Onward  
Brands, LLC, and ACS Group Acquisitions,  
LLC,

Counterclaim Defendants.

**23-CV-5138 (LGS) (VF)**

**ORDER**

**VALERIE FIGUEREDO, United States Magistrate Judge:**

At the discovery conference on December 3, 2024, the Court addressed claims of privilege by Vinci Brands LLC over certain text messages that were provided to the Court for in camera review. Following the conference, Vinci submitted additional legal authority and a declaration from Michael Vatis with additional factual content, to further support its claim of privilege over the disputed text messages.

The text messages on pages VINCI088096 through VINCI088098 are privileged and do not need to be produced. Under Graves v. Deutsche Bank Securities, Inc., 2011 WL 721558, at \*1 (S.D.N.Y. Feb. 10, 2011), Vatis's declaration establishes that the text messages contain notes by the client (Mr. Tebele and/or Mr. Latkovic) about their respective

impressions of the court hearing that were communicated to their attorney (Mr. Vatis) after the court appearance.

The same reasoning applies to the following text messages, all of which contain the client's impressions and opinions that were conveyed to Mr. Vatis after the court hearing:

- VINCI088093 (the sixth through ninth text message, beginning at time stamp 11:43:59 through time stamp 11:44:37 on September 6, 2023).
- VINCI088094 (third through ninth text message, beginning at time stamp 12:55:14 through 13:14:18 on September 6, 2023)
- VINCI088095 (the first and second text message and the eighth text message at time stamp 14:53:29 on September 6, 2023).

**SO ORDERED.**

DATED: New York, New York  
January 6, 2025



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VALERIE FIGUEREDO  
United States Magistrate Judge